APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/834,833	04/13/2001	Ramaprakash H. Sathyanarayan	ORA010 US	4294

56135 7590 06/06/2006	EXAMINER
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ART UNIT	PAPER NUMBER
2166	

DATE MAILED: 06/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 March 2006*.

2a)☒ This action is **FINAL**.　　　2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4-19,29-39 and 43-45* is/are pending in the application.

　　4a) Of the above claim(s) *5-10 and 12-18* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 4, 11, 19, 29-39 and 43-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *3/13/06, 4/10/06*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is in response to Applicant's Amendments, filed on March 13, 2006

have been considered but are deemed moot in view of new ground of rejections below.

2.   Claims 1, 29 and 43 are amended. Claims 5-10, 12-18 are withdrawn. Claims 2-

3, 20-28 and 40-42 are canceled. Claim45 is newly added. Claims 1, 4, 11, 19, 29-39

and 43-45 are presented for examination for this office action.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1, 4, 19, 29-31, 33-39 and 43-45 are rejected under 35 U.S.C. 102(b) as

being anticipated by Ito et al (U.S. Patent No. 5,832,10, hereinafter, "Ito").

        With respect to claim 1, Ito discloses, if an item is a directory (204, start directory

synchronization, fig. 4, 2020, directory, fig. 20, col. 13, lines 10-17, col. 20, lines 14-29),

spawning a new process (2070, subdirectory synchronization, fig. 20, col. 20, lines 21-

30, if the item is directory, new subdirectory synchronization is performed recursively,

(spawning new process)); and if the item is a file, copying the file (2040, fig. 20, col. 20, lines 42-54, col. 16, lines 18-34, col. 10, lines 4-21); wherein a current process in the computer performs the spawning or the copying (2070, subdirectory synchronization, fig. 20, col. 20, lines 21-30, if the item is directory, new subdirectory synchronization (spawning new process) is performed recursively), wherein the new process if spawned executes simultaneously or contemporaneously with the current process (col. 16, lines 1-34, col. 13, lines 10-30), and the new process performs the spawning or the copying with another item in the directory (fig. 20, 2020-2040, col. 20, lines 14-51); and wherein the current process repeats the act of spawning or copying with yet another item (fig. 20, 2020-2040, col. 20, lines 14-51, if the item is directory, then the system perform new process (spawning process)).

With respect to claim 4, Ito discloses, comparing a current number of processes started for copying, with a limit, and waiting if the current number is greater than or equal to the limit, see (col. 9, lines 22-45, storage space is decided before backup).

With respect to claim 19, Ito discloses, spawning is performed only if the directory is not a current directory and not a parent directory, see (fig. 20, 2020-2040, col. 20, lines 14-51).

With respect to claim 29, Ito discloses, spawning a process if an item to be copied is a directory (204, start directory synchronization, fig. 4, 2020, directory, fig. 20,

col. 13, lines 10-17, col. 20, lines 14-29), and copying the item if the item is a file, see (fig. 20, 2020-2040, col. 20, lines 14-51); wherein each item is input to at least one of for spawning and for copying (col. 16, lines 1-34, col. 13, lines 10-30).

With respect to claim 30, Ito discloses, sending an email message if the means for copying encounters an error, see (col. 9, lines 22-45, col. 12, lines 46-65).

With respect to claim 31, Ito discloses, increasing a limit on a resource to maximum, see (col. 9, lines 22-45).

With respect to claim 33, Ito discloses, checking if the item is a link to itself, see (col. 16, lines 1-34, col. 13, lines 10-30).

With respect to claim 34, Ito discloses, process is started with an instruction to perform the method for each item in the directory, see (col. 16, lines 1-34, col. 13, lines 10-30).

With respect to claim 35, Ito discloses, process executes in parallel with any new process spawned by the repeating, see (col. 16, lines 1-34, col. 13, lines 10-30).

With respect to claim 36, Ito discloses, the number of processes created by spawning corresponds to the number of directories to be copied, see (fig. 20, 2020-2040, col. 20, lines 14-51).

With respect to claim 37, Ito discloses, the item is from a list of items to be copied, and another item and the yet another item are also from the list, see (fig. 20, 2020-2040, col. 20, lines 14-51, col. 16, lines 1-34, col. 13, lines 10-30).

With respect to claim 38, Ito discloses, checking if the file is in a list of items to be excluded from copying, and performing the copying only if the file is not in the list, see (fig. 20, 2020-2040, col. 20, lines 14-51).

With respect to claim 39, Ito discloses, the file is copied to multiple destinations if specified by the user, see (col. 16, lines 1-34, col. 13, lines 10-30).

With respect to claim 43, Ito discloses, spawning a new process (2070, subdirectory synchronization, fig. 20, col. 20, lines 21-30, if the item is directory, new subdirectory synchronization is performed recursively, (spawning new process)), if the item is a directory, see (204, start directory synchronization, fig. 4, 2020, directory, fig. 20, col. 13, lines 10-17, col. 20, lines 14-29), and copying the item, if the item is a file, see (2040, fig. 20, col. 20, lines 42-54, col. 16, lines 18-34, col. 10, lines 4-21); wherein a current process in the computer performs the spawning or the copying (2070,

subdirectory synchronization, fig. 20, col. 20, lines 21-30, if the item is directory, new

subdirectory synchronization (spawning new process) is performed recursively),

wherein the new process if spawned executes simultaneously or contemporaneously

with a current process that performs the spawning, see (col. 16, lines 1-34, col. 13, lines

10-30).

With respect to claim 44, Ito discloses, creating a new process (2070,

subdirectory synchronization, fig. 20, col. 20, lines 21-30, if the item is directory, new

subdirectory synchronization is performed recursively, (spawning new process)), if the

item is a directory, see (204, start directory synchronization, fig. 4, 2020, directory, fig.

20, col. 13, lines 10-17, col. 20, lines 14-29); and copying the item, if the item is a file,

see (2040, fig. 20, col. 20, lines 42-54, col. 16, lines 18-34, col. 10, lines 4-21), wherein

at least one of the creating and the copying is performed for each item, see (2070,

subdirectory synchronization, fig. 20, col. 20, lines 21-30, if the item is directory, new

subdirectory synchronization is performed recursively, (spawning new process) and

copying file, 2040, fig. 20, col. 20, lines 42-54, col. 16, lines 18-34, col. 10, lines 4-21).

With respect to clam 45, Ito discloses, the process cells function to recursively

spawn a plurality of child process; and on return form the function, the process waits for

all child processes to finish (fig. 20, col. 20, lines 42-54, col. 16, lines 18-34, col. 10,

lines 4-21).

5.   Claims 11 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Ito et al (U.S. Patent No. 5,832,10, hereinafter, "Ito") in view of Crouse et al (U.S.

Patent No. 5,764,972).

With respect to claims 11 and 32, Ito does not disclose the limitations of

transferring data to buffer using temporary buffer and direct memory access processing.

However, Crouse disclose, transferring data from the file into a temporary buffer (col. 5,

lines 43-64) and the definition of buffer is a temporary data storage that is like cache

between main data storage the locking the temporary buffer), locking the temporary

buffer, see (442, FIG. 16c, FIG. 16d, col. 26, lines 23-65); and invoking a direct memory

access (DMA) process for making a copy from the temporary buffer, see (466, FIG. 16c,

FIG. 16d, col. 26, lines 23-65). Therefore, it would have been obvious to a person

having ordinary skill in the art at the time invention was made to combine transferring

data to buffer using temporary buffer and direct memory access processing of the

system of Crouse with the system of Bailey. Because the buffer with unlocking and

locking buffer provides temporary data storage, which can reduce data traffic for data

transferring or data copying, and direct memory access (DMA) process is used for data

writing (copying) on memory.

Conclusion

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

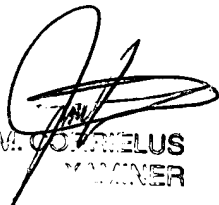than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-

4043. The examiner can normally be reached on 8:00-5:00.

Contact Information

7.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

IW
May 25, 2006

JEAN M. CORRIELUS
EXAMINER